

# OLYMPIC COAST NATIONAL MARINE SANCTUARY

## Meeting Minutes

Sanctuary Advisory Council Meeting  
September 25, 2009  
Makah Marina Meeting Room  
Neah Bay, Washington

Olympic Coast National Marine Sanctuary  
NOAA, National Marine Sanctuary Program  
115 E. Railroad Avenue, Suite 301  
Port Angeles, WA 98362-2925  
FAX # 360-457-8496

Reviewed by SAC Secretary

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Reviewed by OCNMS Superintendent

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Approved by SAC

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## Attendees

### **Members**

Terrie Klinger, Research  
Jody Kennedy, Conservation alt.  
Fan Tsao, Conservation  
Chip Boothe, Wash. Dept. of Ecology  
Katie Krueger, Quileute Nation  
Meri Parker, Chamber of Commerce  
Roy Morris, Citizen-at-large  
Ellen Matheny, Education  
Teresa Scott, Wash. Dept. of Fish and Wildlife  
Diane Butorac, Wash. Dept. of Ecology alt.  
Joel Kawahara, Commercial Fishing  
Brady Scott, Wash. Dept. of Natural Resources  
Dana Sarff – Makah Nation alt.  
Gene Woodwick, Education alt.  
George Hart, U.S. Navy  
Scott Bornemann, U.S. Coast Guard (by phone)  
Rebecca Post, Wash. Dept. of Ecology

### **Staff**

Carol Bernthal, Superintendent  
George Galasso, Assistant Superintendent  
Liam Antrim, Resource Protection Specialist  
Lauren Bennett, Management Plan Review Specialist  
Jacqueline Laverdure, Education Specialist  
Ed Bowlby, Research Coordinator

### **Public**

Eric Wilkins, Northwest Indian Fisheries Commission  
Craig Bowhay, Northwest Indian Fisheries Commission (by phone)  
Chad Bowechop, Makah Nation  
Corey Brady, Makah Nation  
Karen Matsumoto, Seattle Aquarium  
Neuee Vitalis, Makah Elementary School

### **Introduction**

Terrie Klinger called the meeting to order. Members and guests introduced themselves. The agenda was adopted without changes. The minutes of the July meeting were adopted unanimously as amended.

Katie Krueger announced that the Navy has informed her that they will no longer use spent uranium material in any of their training activities off the coast. She also announced that a study recently published that found very high levels of mercury in the

Lake Ozette waters and resident fish tissue to the point of being a danger for human consumption. Electronic copies of this report can be obtained by contacting [Patrick-Crain@nps.gov](mailto:Patrick-Crain@nps.gov)

### **Management Plan Review Flowchart update**

George Galasso reported that we are in phase III of the MPR process -- drafting the action plan recommendations. These draft plans will be brought to the council for discussion in November and January and the advisory council will pass along their recommendations to the superintendent. These will then be reviewed by the Intergovernmental Policy Council (IPC). It is hoped that all the preliminary work and review work will be done by April and the AC can be briefed on it in May. After that, the actual drafting of the revised management plan will begin.

### **Sanctuary Operations – Preliminary staff recommendations** (see slideshow presentation of OCNMS web site at

[http://olympiccoast.noaa.gov/AboutUs/sac/sac\\_mpr\\_ppt.pdf](http://olympiccoast.noaa.gov/AboutUs/sac/sac_mpr_ppt.pdf))

George Galasso described the initial staff recommendations on developing a Sanctuary Operations action plan. This work is based upon the priority issues that the AC grouped together under the sanctuary operations topic area at the January workshop.

Recommendations on proposed regulatory changes are going to be discussed at the October IPC meeting and the staff hopes to be able to brief the AC at the November meeting. Terrie Klinger clarified that OCNMS is requesting that AC comment on the draft being presented today by October 16. George stated that the infrastructure portion of this topic is to ensure that we have the equipment and capacity we need to carry out the activities that will be in the revised management plan. For instance, in the case of the replacement vessel for the R/V Tatoosh, OCNMS has already done some consulting with partner agencies and institutions to begin to define what the capabilities of the replacement vessel would ideally have. George noted a number of activities under the administrative section. Under permitting, OCNMS will be looking at ways to improve the permit process and the consultation with the tribes. Under enforcement there are three key activities: 1) improve voluntary compliance, 2) to promote and monitor compliance with sanctuary regulations, and 3) improve the enforcement of sanctuary regulations. What was originally identified as responding to emerging issues is now included in the topic of performance evaluation. Addressing the emerging issues will be done through annual reporting. An example of an emerging or unanticipated issue is the staff effort to document the current seabird wreck incident that is occurring on the outer coast. How OCNMS dealt with this issue will be included in our annual report.

During discussion, members asked questions about how emerging issues are reflected in budget reporting at the end of the year. Staff responded that that is being done internally as part of the budget reports that are compiled annually. One member suggested using performance criteria, not just reporting, in developing performance evaluation. Carol responded that each action plan would contain performance evaluation criteria at the site level. In addition, there are national performance standard criteria that are applied across the NMS program, both nationally and at the site level.

**Coordinated and Collaborative Management work status report** (see slideshow presentation of OCNMS web site at

[http://olympiccoast.noaa.gov/AboutUs/sac/sac\\_mpr\\_ppt.pdf](http://olympiccoast.noaa.gov/AboutUs/sac/sac_mpr_ppt.pdf))

George Galasso reminded the AC that they recommended establishing a working group on Coordinated and Collaborative Management, but deferred establishing the group until the staff had done some preliminary work. The topics under this category include identifying strategies for developing community and government partnerships and explore how improving coordination among agencies and others would help to further ecosystem-based management. George described the initial discussions that are in a preliminary stage with a number of agencies and organizations (see slides). He also wanted to draw attention to the AC being included on this list. The intent of placing the AC on the list is to draw attention to some of the activities that the AC could undertake to help the sanctuary meet its goals and responsibilities. OCNMS has also identified a number of other entities, including the individual coastal tribes and the outer coast MRC, who could provide opportunities for collaboration.

One member commented that there were other non-governmental organizations and local governments as well that could be included in this list. George suggested that one way to reach out to other organizations could be through the AC and that is a reason why it was included on the list of action items. Other members noted that there is a difference between those who have management authority and stakeholders and they always can't be lumped together. The sanctuary needs to work with each of these groups differently.

George Galasso pointed out that there are three activities under the AC strategy part of this document: 1) program support of the AC, 2) what can be done to make the AC a better venue for public participation, and 3) the role of the AC in the implementation of the management plan.

Terrie Klinger outlined three options that the AC could recommend regarding the Collaborative and Coordinated Management: 1) form a full working group, 2) form a small subcommittee to review the staff work on this issue, and 3) not form anything and have the staff continue to work and come back to the AC later. Members discussed these options as well as suggesting some additional ideas such as: forming a study group, the need to preserve the opportunity for minority views, waiting until the update at the November meeting to make the decision, asking everyone individually comment, and utilizing an on-line survey or establish a listserve to collect comments. Terrie Klinger stated that there doesn't seem to be a strong sentiment to form a working group at this time. It appears that the AC supports the staff continuing to work on this and reserves the option of forming some type of group at a future time. One member requested that staff send out an e-mail reminder for members' comments by October 16 on the draft Collaborative and Coordinated paper as well as the draft Sanctuary Operations paper.

Carol Bernthal also reminded members that this is a great opportunity to define the role of the AC in the next management plan, and that she hoped members would take this opportunity to think about what they would like to see the AC doing.

### **Working Group/Workshop reports**

Terrie Klinger asked, that due to time constraints, that everyone making a report on working groups and workshops keep the reports brief.

**Treaty Trust Responsibility:** Craig Bowhay, the Fisheries Policy Analyst for the Northwest Indian Fisheries Commission, reported that the working group has been busy. Molly Holt of NOAA's General Council Office, has drafted an initial document that the tribes are now reviewing. His hope is that this review will be completed by the end of the month. The working group has representatives from each of the four coastal tribes and they are currently reviewing the draft. The document will discuss the origins of tribal treaty rights and federal trust responsibility, and will identify the basic legal duties of the National Marine Sanctuaries Program and OCNMS to the four coastal tribes.

**Collaborative Research, Assessment and Monitoring:** Terrie Klinger reported that they have met a number of times. The working group is currently collecting information on what the current state of affairs with regard to research in OCNMS and then will be looking at the gaps.

**Living Resource Conservation Group:** Fan Tsao reported that they are about 40% done with their process. They have completed their recommendations for strategies for the water quality subsection and the marine debris subsection.

**Spill Prevention, Preparedness, Response and Restoration:** Bob Bohlman have held several meetings and are working on twelve action items. For seven of the action items the working group has identified strategies and actions.

**Ocean Literacy and Maritime Heritage Workshops:** Meri Parker announced that they have identified participants for both work shops. The Ocean Literacy work shop has been scheduled for November 12 in Forks and the Maritime Heritage has been scheduled for November 18 in Neah Bay.

**Socio-economic Values:** Brady Scott and OCNMS staff are developing materials for the work shop which is scheduled for October 22 in Port Townsend. An e-mail invitation has been mailed out to the entire AC as well as 30 other participants.

Carol Bernthal expressed her appreciation for all the work that AC members have put in so far on the working groups and work shop. She is very impressed with the level of engagement of members.

Teresa Scott asked whether AC members are satisfied with the level of communication they are receiving from the Living Resource Conservation working group. George reminded people that most of the work products have or will be posted on the web site, so members can keep up with what is going on by going to the MPR web page on the OCNMS web site (<http://olympiccoast.noaa.gov/protection/mpr/welcome.html>).

Fan Tsao reminded members that there are some cross-cutting issues among groups and there will be a need for those groups to be aware of what each is doing. Staff agreed to send out e-mail queries to all AC members for the work shops to remind members when and where they are occurring and ask them to indicate if they are planning to attend.

**NOAA Twin Otter aircraft presentation** (see slideshow presentation OCNMS web site at [http://olympiccoast.noaa.gov/AboutUs/sac/sac\\_aviation\\_ppt.pdf](http://olympiccoast.noaa.gov/AboutUs/sac/sac_aviation_ppt.pdf))

Matt Pickett, ONMS aviation coordinator, introduced himself. He noted that in 1997, Channel Islands NMS started aerial surveys to attempt to inventory living resources in a specific geographic area. They also looked at visitor use and commercial and recreational vessel traffic. As it turned out that the visitor use information became critical for the effort to establish marine reserves at Channel Islands. Data collected during the aerial surveys was also useful when in 2007 the sanctuary began to look at blue whale and marine traffic interactions, because of several incidents of ship strikes of the whales. Because of the success of this earlier work, a decision was made to reposition a NOAA Twin Otter aircraft to the west coast from Florida in January of this year. This was an underutilized aircraft and crew that were not being used fully in the Gulf.

Craig noted that the aircraft has remote sensing capability and can be equipped with topographical LIDAR, bathymetric LIDAR, thermal sensors, and a hyper-spectral scanner for habitat delineation. NOAA is also evaluating the use of the aircraft for enforcement of sanctuary regulations. They are also currently using the aircraft for education and outreach by going to air shows and educating pilots about over-flight restrictions in certain sanctuaries. In response to a question about restrictions in military training areas, Matt noted that this hasn't been a problem in conducting most activities with the aircraft since the Navy doesn't have the authority to restrict flying outside the three mile limit.

In response to another question about documenting oil discharges, Craig said that they have been able to detect a sheen trailing behind a vessel and have taken pictures. A member asked whether they worked with the Marine Exchange in Long Beach on some of the vessel traffic issues. Craig said they did and they have been helpful on supplying compliance data to the sanctuary.

One member asked that in the case of an oil spill, how long it would take to get this aircraft on-scene. Craig responded that there isn't enough money right now to dedicate the aircraft year around to the sanctuaries and that 5 months of the year it is in Alaska doing fisheries patrol. If an oil spill were to happen when the plane is available to the sanctuaries (i.e. not in Alaska), it would take approximately 24 hours to mobilize and get it here.

One member noted that WDFW and DNR both have planes, so there is some capacity to do some aerial work locally when the Twin Otter was not available.

Craig noted that if the plane were fully funded for sanctuary work alone, it would constitute about 800 hours per year of flying time. This funding would not come from sanctuary site budgets. Instead it would come from a separate pot of money much the same way NOAA ship time is supplied to the sanctuaries without cost to the sanctuary program.

A member asked about the current disposition of the sanctuary with regard to discharges from fish processing vessels in the sanctuary. George Galasso responded that under current OCNMS regulations, discharge of fish parts from traditional fishing activities is exempt from prohibited discharges. The California sites have modified this somewhat by requiring that any fishing discharges be allowed only from vessels actually fishing within the sanctuary.

Bob Bohlman introduced a letter supporting base funding for the NOAA Twin Otter aircraft so that it can be dedicated to the west coast national marine sanctuaries. **Joel Kawahara moved the adoption of letter and Bob Bohlman seconded it.** Members asked clarifying questions about the language of the proposed letter. **The letter was adopted unanimously as drafted with no abstentions.**

**OCNMS Research Program overview** (see slide show presentation on the OCNMS website at [http://olympiccoast.noaa.gov/AboutUs/sac/sac\\_research\\_ppt.pdf](http://olympiccoast.noaa.gov/AboutUs/sac/sac_research_ppt.pdf))

Ed Bowlby, OCNMS Research Coordinator, gave a report on the 2009 research season and projections of what OCNMS expects for 2010. Starting in the near shore, OCNMS continued its long-term intertidal monitoring program. This program is looking at the natural variation of species, detecting effects of climate change, and monitoring for invasive species. OCNMS expects to continue this in 2010 with the same number of beaches that are currently being monitored. Another activity is the COASST project, a partnership with the University of Washington. This is a long term study of seabird mortalities. OCNMS coordinates the program in the Strait and the outer coast. Currently, staff and volunteers have been monitoring a major seabird wreck (large die-offs) caused by a specific algal bloom that removes the oil from the birds' feathers and causes them to die due to lack of insulation. These are species that are also undergoing stress from annual molting and aren't in the best of shape to begin with. The wreck is primarily affecting species that are found commonly near or in the surf zone, such as surf scoters, grebes, and loons.

OCNMS has a long-term oceanographic monitoring program consisting of near shore moorings stretching from Makah Bay to Cape Elizabeth. Instruments on these mooring monitor a variety of oceanographic parameters, including dissolved oxygen levels, temperature, conductivity, salinity, chlorophyll, and some current direction and velocity measurements. This summer there were several low oxygen events detected by the instruments, but they were not as severe as in previous years. OCNMS will continue to deploy the moorings in 2010, although because of budget cuts there will be somewhat fewer moorings deployed.

Washington Department of Natural Resources (DNR) conducts an annual kelp survey off the coast and did so this year. In years past, OCNMS has been able to help with the costs of this survey, but due to budget limitations this year, we were unable to help out. Fortunately DNR was able to find enough funding this year to complete the survey. These surveys have been conducted since 1989, so there is a long-term database. In 2010, funding will be limited again, but OCNMS is looking at some other sources for assistance.

OCNMS conducts an annual sea otter census, a partnership with Wash. Dept. of Fish and Wildlife, Seattle Aquarium and U.S. Fish and Wildlife Service. This involves placing shore observers at strategic locations along the coast combined with data from an aerial survey. Unfortunately the entire week was fogged out and the aircraft was unable to fly, so the data this year will be incomplete.

Other research collaborations include working with REEF, a non-profit organization that has been doing annual dive surveys in the sanctuary and was able to continue their work this year. We also participated in a seabird aerial survey. In 2010 OCNMS hopes to have the NOAA Twin Otter aircraft available to do the survey.

OCNMS continued to do the benthic habitat mapping utilizing various vessels of opportunity. In 2010, OCNMS has procured a large block of survey time on the NOAA ship on the hydrographic vessel Fairweather. In 2010, the Army Corps of Engineer will also be conducting LIDAR surveys in the shallow near shore waters within the sanctuary.

This year OCNMS did not do any new deep sea coral surveys, but continued to process data collected on previous surveys, looking at habitat and species associations. One member noted that a recent program on deep sea corals stated that they are fairly abundant around Monterey and wondered whether there was similar abundance here. Ed Bowlby responded that we don't have enough information of the distribution in the OCNMS to be able to say whether they are abundant or restricted to small patchy areas. OCNMS is working with NOAA partners and others to look at potential impacts of acidification on deep sea coral communities. In 2010 OCNMS will be working with NOAA's Coral Reef Conservation Program, which has dedicated \$800,000 to research on the west coast. The money will be used to help identify areas where corals may occur. As a result, OCNMS was able to secure at least seven days of ship time on the Macarthur II to survey in this region. OCNMS will be teaming with Marine Conservation Biology Institute to look at the impacts of ocean acidification on deep sea corals. In addition, the conservation organization Oceana has proposed to the Pacific Fisheries Management Council expanding the boundaries of the Olympic II Essential Fish Habitat area to include additional areas of coral habitat that lie outside the current boundary. Some of this work will involve processing some of the past surveys that OCNMS has conducted. OCNMS is also partnering with NOAA's NCCOS program to provide satellite remote sensing of sea temperature conditions off the coast.

One member commented that the intertidal monitoring work that OCNMS has been doing was extremely important. In the event of an oil spill, the data would be critical to



determining natural resource damage assessments. They strongly support our continuing to do this work. Another member lauded the efforts of the research program to partner with a wide number of agencies and programs to accomplish a significant amount of work.

Katie Krueger noted that in National Geographic's show "Drain the Oceans", deep corals were found in great abundance off the Monterey area. Fan Tsao noted that, in small, localized areas, deep-sea corals can occur in high densities, but across a large geographic scale, their distribution is patchy. She also noted that, while large deep-sea coral reefs or mounds are found in the southeast US, deep-sea corals on the west coast have not been shown to form that kind of structure. She added that the argument for deep-sea coral protection is not necessarily based on rarity but vulnerability.

**OCNMS Educations Program Report** (see presentation on OCNMS web site at [http://olympiccoast.noaa.gov/AboutUs/sac/sac\\_education\\_ppt.pdf](http://olympiccoast.noaa.gov/AboutUs/sac/sac_education_ppt.pdf))

Jacqueline Laverdure, OCNMS education specialist, gave an overview of the OCNMS education programs over the past year. The programs can be lumped into six areas: 1) developing ocean literacy K-12, community awareness, maritime heritage, Olympic Coast Discovery Center (OCDC), and volunteer training and support. As part of the ocean literacy program, OCNMS runs a junior oceanographer program at the OCDC and the Feiro Marine Life Center. OCNMS also runs a summer enrichment program for school children from 2<sup>nd</sup> to 6<sup>th</sup> grade from schools in Sequim and Port Angeles. OCNMS participates in at eight different community events around the region as part of our community awareness program. OCNMS has cooperative interpretive programs with the Makah Tribe and Olympic National Park. This program reaches tens of thousands of visitors during the season through the Cape Flattery Trail and the Park beaches further down the coast. Maritime heritage is incorporated in many of our programs, including the teacher training programs and our community outreach events.

OCNMS conducts an ocean science program as part of the ocean literacy initiative. It is a 5-year NOAA funded grant. This program seeks to connect students to their local places and make discoveries on their own. This is a year-around program that includes teacher professional development workshops in Seattle and in coastal communities. This program targets 4<sup>th</sup> and 5<sup>th</sup> graders, but may expand to include high school students as well. 27 teachers in outer coastal communities have participated in the teacher workshops. Classroom activities include ocean science kits, trips to a marine center and a beach, and web-based materials. Partners include the Seattle Aquarium, the Feiro Marine Life Center and the Oceans Shores Interpretive Center. Other partners include the Washington State Parks, the Olympic National Park, and the coastal tribes.

OCNMS has given the responsibility to manage the B-Wet grants on the west coast. B-Wet stands for Bay, Watersheds, and Education Training. This is a great opportunity to get some funding to local communities for education programs. Two programs in Washington received B-Wet funds this year, including the Feiro Marine Life Center.

Neuee Vitalus, a Makah 5<sup>th</sup> grade teacher, related her experience with the ocean science program. She and her classes have been involved for two years. They took 60 4<sup>th</sup> and 5<sup>th</sup> grade students to the Seattle Aquarium and spent the night in the Underwater Dome. Because of the time and expense of travel to Seattle, this program couldn't have happened without the support of the Sanctuary and the Aquarium. It provides a tremendous experience for the students to experience the exhibits and the ocean science. In addition, it also gives them an opportunity to share their culture with students from all over the region. The 4<sup>th</sup> graders sang tribal songs and the 5<sup>th</sup> graders performed dances. It also gives the children an opportunity to get out on their local beaches in their home communities and experience the sea life in a way they normally can't do.

Karen Matsumoto with the Seattle Aquarium described a new program where students from the OCNMS communities will become pen pals with students from the Hawaiian Humpback Whale NMS and exchange information about their respective ecosystems. This will include focus questions about how climate change may affect their respective communities.

Carol Bernthal asked the education team to explain why they focus the program on the 4<sup>th</sup> and 5<sup>th</sup> graders. Karen Matsumoto explained that Washington State education standards for the 4<sup>th</sup> and 5<sup>th</sup> grades make the best fit for the ocean science program because they focus on ecosystems and understanding micro-worlds. The ocean science program looks at the micro-world of plankton and the impacts of climate change on the greater ecosystem.

One member wanted to know if the ocean science program could be expanded to older students. Karen Matsumoto said that the Aquarium has a program for older students to monitor near shore areas using WDFW mapping protocols. They are looking at whether this program could be expanded beyond just the Seattle area, but that it is very labor intensive and requires a lot of time commitment. She emphasized, however, that it really important to start at a younger age to interest students in careers in science. She also emphasized that the type of collaboration that occurs with programs like the ocean science program provides a way to leverage more funding from other sources, because often funders are looking at ways to promote collaboration.

Carol Bernthal invited everyone interested to attend the education work shop that is going to take place in November. Work shop participants will look at the next 5 to 10 years and make recommendations on what directions OCNMS education programs will take.

### **Superintendent's Report**

Carol Bernthal reported that the current seabird mortality event that is presently occurring on the coast brings up a lot of questions of how one deals with it. Unlike an oil spill, there is no "responsible party" for a naturally occurring event like this, so the usual monetary resources are not available. She suggested that the Living Resource Conservation working group may want to take a look at this.

George Galasso gave an account of a recent sinking of a fishing vessel off Cape Alava. Two persons on board were rescued to there was no loss of life. NOAA is looking at this incident. There was approximately 50 gallons of fuel on board, though there was no release observed by the Coast Guard. The vessel is in deep water, so there isn't an option of recovery of the vessel.

Carol Bernthal related that we still don't have an indication of what the sanctuary program budget will be for the coming fiscal year and we will likely be operating under a continuing resolution as in years past. Planning is going forward based upon a 5% reduction under the current budget. The National SAC Summit will be held next year at Lake Crescent Lodge and the Olympic Park Institute and OCNMS will host the event. There will be a reception by the National Sanctuary Foundation during the week, and all OCNMS advisory council members will be invited to attend.

### **Internal Affairs**

Andy Palmer reported that two seats, education and commercial fishing, will be expiring. He will be filing a Federal Register notice soon. There is added level of review by NOAA headquarters because of a directive of not allowing federally registered lobbyists to serve. We will also nominate new officers at our November meeting and will hold the election in January. Terrie Klinger has reached the limit of the number of terms she can serve, so she can't be a candidate this time. In regard to next year's regular meeting dates, these are still being reviewed, but they will for the most part continue to follow the practice of meeting the third Friday in the meeting month (January, March, May, July, September, November). There is a possibility of holding a meeting in February if necessary to finish up the action plan recommendations, but this has not been decided yet. We should have a better idea by the November meeting. The next meeting will likely be held in Port Angeles.

### **Action Items**

- Explore setting up a listserve for AC members
- Send out an e-mail reminder for comments on Collaborative and Coordinated Management and Sanctuary Operations
- Send out an e-mail inviting AC members to come to the Education and Socio-Economic work shops
- Send the Twin Otter Resolution letter out
- Post the presentation that were presented today
- Post the Fluharty presentation from the July meeting

The meeting was adjourned.